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Brian M. Bolam 22,513  
Name of Attorney/Agent Registration No.

Signature of Attorney or Agent

P&G Case 9049

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of

Keith Colacioppo et al.

Serial No. 10/678,206

Filed October 3, 2003

:

: Confirmation No.

: Group Art Unit

: Examiner

For HAIR TREATMENT APPLICATOR

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents

P. O. Box 1450

Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 C.F.R. §§ 1.56, 1.97 and 1.98, record is being made on the attached Form PTO/SB08 of documents which the Patent Office may wish to consider in connection with examination of the above-identified patent application. It is respectfully requested that the cited documents be carefully considered by the Examiner and made of record in this case. As provided in §1.97(g), no representation is made or intended that a thorough art search was made. As provided in 37 C.F.R. §1.97(h), this Information Disclosure Statement does not constitute an admission of any kind, and specifically is not an admission that the documents listed on attached form PTO/SB08 are, or are considered to be, material to the patentability of the above-identified patent application, as defined in 37 C.F.R. §1.56(b).

**1. [X] 37 C.F.R. §1.97(b)(1) - U.S. Direct (use when filing IDS with nonprovisional patent application, or with Request for Continued Examination (RCE); or within 3 months of filing a nonprovisional patent application)**

This information disclosure statement, submitted under 37 C.F.R. §1.97(b)(1), is being filed with the patent application, with a Request for Continued Examination or within three months of the filing date of a national application. Therefore, no fee is believed to be due.

2. ☐ **37 C.F.R. §1.97(b)(3) - (use when filing IDS more than 3 months after filing a nonprovisional patent application, but prior to receipt of first Office Action)**

This information disclosure statement is being submitted under 37 C.F.R. §1.97(b)(3). Applicants have not received an Office Action on the merits in the present application. Therefore, no fee is believed to be due. However, in the event that this paper is crossing in the mail with a first Office Action on the merits, authorization is hereby given to charge the required fee pursuant to 37 C.F.R. §1.97(c) and 37 C.F.R. §1.17(p) to Deposit Account No. 16-2480 in the name of The Procter & Gamble Company. A duplicate of this letter (or a fee transmittal form) is enclosed to facilitate charging of the fee, if necessary.

**ADDITIONAL ITEMS TO BE NOTED BY THE EXAMINER:**

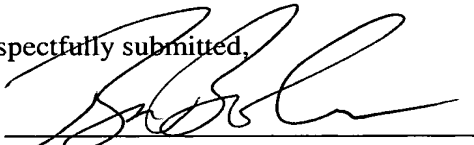
☒ (2) (For use with applications filed after June 30, 2003.) In accordance with 37 C.F.R. §1.98(a)(2), Applicants are submitting copies of foreign patent documents and non-patent literature.

☒ Applicants also respectfully request the Examiner to consider and make of record the co-pending applications listed on the attached page.

☒ Additional information is attached.

Respectfully submitted,

By



Brian M. Bolam  
Attorney or Agent for Applicant(s)  
Registration No. 37,513  
(513) 626-4756

Date: December 31, 2003

**Customer No. 27752**

(IDS.doc) (Last Revised 10/10/03)

### **CO-PENDING U.S. APPLICATIONS**

Entire copies of all co-pending applications (or the portion of the application and claims that caused it to be cited) must be sent with the IDS (see 37 CFR 1.98(a)(2)(iii))

| <u>Atty. Docket No.</u> | <u>Serial Number</u> | <u>Inventor(s)</u> | <u>Filing Date</u> |
|-------------------------|----------------------|--------------------|--------------------|
| D-866                   | 29/190,761           | K. Colacioppo      | 09-25-2003         |
| D-866R                  | 29/191,873           | K. Colacioppo      | 10-15-2003         |
| D-808                   | 29/168,576           | K. Colacioppo      | 10-04-2002         |

[Only applications that remain pending at the time of submitting this IDS should be listed here. For applications in which patents have issued, the granted patents should be listed on Form PTO/SB08.]

Please type a plus sign (+) inside this box → [ + ]

PTO/SB08A (08-03)

U.S. Patent and Trademark Office; U. S. DEPARTMENT OF COMMERCE

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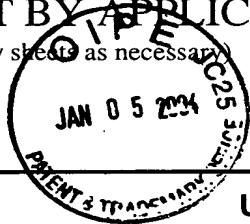
Substitute for form 1449A/PTO

COMPLETE IF KNOWN

# INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

SHEET 1 of 1



|                        |                  |
|------------------------|------------------|
| Application Number     | 10/678,206       |
| Confirmation Number    |                  |
| Filing Date            | 10-03-03         |
| First Named Inventor   | Keith Colacioppo |
| Group Art Unit         |                  |
| Examiner Name          |                  |
| Attorney Docket Number | 9049             |

## U. S. PATENT DOCUMENTS

| EXAMINER INITIALS <sup>1</sup> | Cite No. <sup>1</sup> | DOCUMENT NUMBER<br>Number - Kind Code <sup>2</sup> (if known) | Publication Date<br>MM-DD-YYYY | Name of Patentee or Applicant of<br>Cited Document | Pages, Columns, Lines Where<br>Relevant Passages or Relevant<br>Figures Appear |
|--------------------------------|-----------------------|---|--------------------------------|--|--|
|                                | 1                     | US-Des. 394730 S  | 05-26-1998                     | OLSSON, ALAN                                       |  |
|                                | 2                     | US-6079420 A  | 06-27-2000                     | MUSUM, VENY W.                                     |  |
|                                | 3                     | US-6142157 A  | 11-07-2000                     | DE LAFORCADE, V.                                   |  |
|                                | 4                     | US-6453909 B1   | 09-24-2002                     | DE LAFORCADE, V.                                   |  |
|                                |                       | US-   |                                |  |  |
|                                |                       | US-   |                                |  |  |
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|                                |                       | US-   |                                |  |  |
|                                |                       | US-   |                                |  |  |

## FOREIGN PATENT DOCUMENTS

| EXAMINER INITIALS <sup>1</sup> | Cite No. <sup>1</sup> | FOREIGN PATENT DOCUMENT<br>Country Code <sup>3</sup> Number <sup>4</sup> Kind Code <sup>5</sup> (if known) |  | Publication Date<br>MM-DD-YYYY | Name of Patentee or Applicant of<br>Cited Document | Pages, Columns, Lines<br>Where Relevant Passages<br>or Relevant Figures<br>Appear | T <sup>6</sup> |
|--------------------------------|-----------------------|--|--|--------------------------------|--|---|----------------|
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| EXAMINER                       |                       |  |  | DATE CONSIDERED                |  |   |                |

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>See Kind Codes of U.S. Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup>Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 37 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: C mmissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.